

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

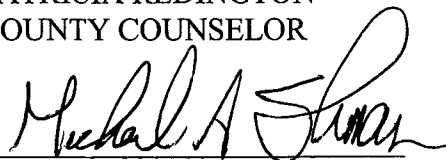
JOSEPH R. ALEXANDER,	)	
	)	
Plaintiff,	)	
	)	Cause No. 4:11-cv-01436-TEA
v.	)	
	)	
BNSF RAILWAY COMPANY, et al.	)	
	)	
Defendants.	)	

DEFENDANT ST. LOUIS COUNTY'S MOTION TO DISMISS

COMES NOW Defendant St. Louis County, Missouri, and for its Motion to Dismiss the First Amended Petition for Damages, pursuant to Rule 12(b)(6), states as follows:

1. The First Amended Petition fails to state a claim upon which relief can be granted, by reason of failing to allege that the incident underlying the First Amended Petition is a dangerous condition of property owned, maintained or otherwise controlled by St. Louis County.

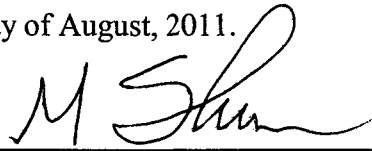
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Certificate of Service

A copy of the foregoing was electronically scanned and filed with the U.S. District Court for the Eastern District of Missouri this 26th day of August, 2011.

  
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